

resolution of the matter. OSM notes, however, that the *Taylor* decision was vacated on jurisdictional grounds by the U.S. District Court for the Eastern District of Kentucky. *Coal Mac. Inc. v. Babbitt*, Civil No. 93-117 (October 3, 1994). The implications of these and other right-of-entry cases for Federal and State programs is under review by OSM.

The two environmental commenters who generally supported the Kringlen petition raised issues and made several rulemaking suggestions which were beyond the narrow scope of the Kringlen petition. OSM is, however, concerned that these comments may reflect some misunderstanding of the operation of the current rules. Therefore, OSM wishes to respond to the comments as follows:

(a) One environmental commenter would require that the permit applicant conduct a record search to ensure that the permit information is accurate and complete as implicitly required by sections 507(b) 1) and (2) and 507(b) (9) and (13) of the Act. OSM readily acknowledges that many times the need for the permit applicant to conduct a record search is implicit in fulfilling the information requirements of the cited sections.

However, there are many other times when a record search would reasonably not be necessary and, therefore, should not be required. For example, one commenter opposing the petition noted that documents dispositive to right-of-entry disputes providing for right-of-way, temporary easements, etc., are often not recorded in the courthouse and therefore would not be included among the petitioner's requested documents of record.

(b) This same environmental commenter opposed the current provisions of 30 CFR 778.15 which specifically require only that the application contain a description of the documents upon which the applicant bases his legal right to enter and begin surface coal mining operations. The commenter faults the preamble logic of the proposed and final § 778.15 which considered and rejected the required submission in *all* cases of actual copies of right-of-entry documents relied upon. 43 FR 41692, September 18, 1978, and 44 FR 15028, March 13, 1979. The commenter argues that the permit applicant should be required to submit in all cases, or at a bare minimum in *disputed* cases, the actual copies of all right-of-entry documents relied upon. For the reasons expressed in its 1978 and 1979 preambles and as echoed by another commenter opposing the instant petition, OSM continues to believe that the required submission of all right-of-entry documents in all cases would often impose a significant and unnecessary burden on the permit applicant.

In support of its argument for the required submission of all right-of-entry documents in *disputed* cases, the prior environmental commenter expressed particular concern that once a right-of-

entry dispute arose, the regulatory authority might not have authority under 30 CFR 778.15 to require actual copies of the documents but would have to rely merely on a description of documents upon which the asserted applicant right-of-entry was based. The major industry commenter opposing the petition reviewed the 1979 preamble discussion of proposed 30 CFR 778.15 and concluded that the regulatory authority currently has authority to request such copies to resolve a dispute of fact as to whether a legal right claimed by the applicant exists. OSM concurs that the preamble discussions of proposed and final section 778.15 support this conclusion. 43 FR 41692, September 18, 1978, and 44 FR 15028, March 13, 1979.

Indeed, in most cases it would be difficult to conceive of the regulatory authority being able to resolve such disputes without viewing actual copies of documents relied upon for right-of-entry. Of course, because of the proviso clause in paragraph 507(b)(9) of the Act, such a determination of fact would not mean that the regulatory authority was making a legal determination about the right to enter. 43 FR 41692, September 18, 1978. With regard to the concerns raised by the petitioner, OSM has found that, with the exception of a few instances where the State counterpart to 30 CFR 778.15 was improperly applied in the State of Kentucky, the rule has generally worked to protect the rights of landowners as required by section 102(b) of the Act.

(c) The prior environmental commenter also requested that OSM: (1) Provide clarification as to the appropriate interpretation of existing procedures in the event of a dispute as to right-of-entry information in a permit application; and (2) conduct a national study of the right-of-entry issues raised by the petitioner and commenters. As noted above, these requests extend far beyond the narrow scope of the instant petition.

(d) The other environmental commenter suggested that the regulatory authority check and substantiate all submitted ownership documentation for completeness and authenticity. OSM experience indicates that this is not necessary on a routine basis and should be carried out only when needed. The regulatory authority does not have the manpower to do this on a routine basis nor the statutory authority to resolve the property disputes which could result from efforts to authenticate ownership documentation.

Summary

The information available to OSM indicates that the incident that prompted the petition represents a problem localized in the State of Kentucky. Requiring the applicant in all

cases to include documentation with public records identifying the surface owners of the property they propose to mine as well as the property contiguous to the proposed mining property as requested by the petitioner would often impose a substantial and unnecessary burden, particularly to coal companies and regulatory authorities involved in the permitting of large Western mines. Since the incident that prompted the petition, Kentucky has instituted a new policy which requires that when a surface owner files a protest to the issuance of a permit the Natural Resources and Environmental Protection Cabinet must make a determination as to whether the applicant has made a *prima facie* showing that he has the right to enter and mine the property. These facts lead us to conclude that there is insufficient basis for the national rulemaking requested by the petitioner. OSM shall, through its oversight program, evaluate Kentucky's protection of landowner rights to make certain that the State regulations as implemented are as effective as the Federal regulations in protecting those rights. In addition, OSM is reviewing the implications for Federal and State programs of recent court and IBLA decisions on right-of-entry issues. This petition and comments thereto shall become part of the record as OSM conducts oversight of the Kentucky State Program.

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA-7124]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are requested on the proposed base (100-year) flood elevations and proposed base flood elevation modifications for the communities listed below. The base (100-year) flood elevations are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

ADDRESSES: The proposed base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

FOR FURTHER INFORMATION CONTACT: Michael K. Buckley, P.E., Chief, Hazard Identification Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646-2756.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA or Agency) proposes to make determinations of base (100-year) flood elevations and modified base flood elevations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed base flood and modified base flood elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, state or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

National Environmental Policy Act

This proposed rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Associate Director, Mitigation Directorate, certifies that this proposed rule is exempt from the requirements of the Regulatory Flexibility Act because proposed or modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and are required to

establish and maintain community eligibility in the National Flood Insurance Program. As a result, a regulatory flexibility analysis has not been prepared.

Regulatory Classification

This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 12612 Federalism

This proposed rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform

This proposed rule meets the applicable standards of section 2(b)(2) of Executive Order 12778.

List of Subjects in 44 CFR Part 67

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is proposed to be amended as follows:

PART 67—[AMENDED]

1. The authority citation for part 67 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 67.4 [Amended]

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
NEW JERSEY	
South Belmar (Borough), Monmouth County	
Polly Pod and Lake Como: Entire shoreline within community	*10
Maps available for inspection at the Office of Administration, 1730 F Street, South Belmar, New Jersey.	

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
Send comments to The Honorable James Graham, Mayor of the Borough of South Belmar, P.O. Box 569, South Belmar, New Jersey 07719.	
OHIO	
Laurelville (Village), Hocking County	
<i>Laurel Run:</i> Approximately 960 feet downstream of downstream corporate limits at the confluence of Salt Creek	*742
Approximately 50 feet upstream of upstream corporate limits	*745
<i>Salt Creek:</i> Approximately 0.5 mile downstream of the confluence with Laurel Run	*736
At the confluence of Laurel Run	*742
Maps available for inspection at the Office of the Mayor, Laurelville, Ohio	
Send comments to The Honorable Robert West, Mayor of the Village of Laurelville, Office of the Mayor, Laurelville, Ohio 43135.	
OHIO	
Meigs County (Unincorporated Areas)	
<i>Ohio River:</i> Approximately 5.0 river miles downstream of U.S. Route 33	*574
Approximately 4.5 river miles upstream of Belleville Dam ..	*603
Maps available for inspection at the Commissioner's Office, Courthouse, Second Street, Pomeroy, Ohio.	
Send comments to Mr. Fred Hoffman, President, Meigs County Board of Commissioners, Courthouse, Second Street, Pomeroy, Ohio 45769.	

§ 67.4 [Amended]

3. The tables published under the authority of § 67.4 are proposed to be amended as follows:

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
Connecticut	Bozrah (Town) New London County.	Yantic River	At downstream corporate limits	*119	*120
			Approximately 0.6 mile upstream of corporate limits.	*121	*122
			Approximately 100 feet upstream of State Route 608.	None	*165
			Approximately 1,900 feet upstream of Gilman Dam.	None	*243

Maps available for inspection at the Town Hall, Bozrah, Connecticut.

Send comments to Mr. Raymond C. Barber, First Selectman of the Town of Bozrah, Town Hall, Bozrah, Connecticut 06334.

Delaware	Dewey Beach (Town) Sussex County.	Atlantic Ocean	Approximately 100 feet east of the intersection of Read Avenue and State Route 1.	*8	Depth 2'
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Maps available for inspection at the Town Hall, 105 Rodney Avenue, Dewey Beach, Delaware.

Send comments to The Honorable James Lavelle, Mayor of the Town of Dewey Beach, 105 Rodney Avenue, Dewey Beach, Delaware 19971.

Delaware	Fenwick Island (Town) Sussex County.	Atlantic Ocean	Approximately 500 feet east of the intersection of James Street and State Route 1.	*11	*13
			Approximately 100 feet west of the intersection of Essex Street and Bunting Avenue.	*10	Depth 2'

Maps available for inspection at the Town Hall, 800 Coastal Highway, Fenwick Island, Delaware.

Send comments to The Honorable James Elliott, Mayor of the Town of Fenwick Island, 800 Coastal Highway, Fenwick Island, Delaware 19944.

Delaware	Sussex County (Unincorporated Areas).	Atlantic Ocean	Approximately 100 feet east of the intersection of Palmer Avenue and State Route 1.	*9	Depth 2'
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Maps available for inspection at the Planning and Zoning Office, Courthouse Circle, Georgetown, Delaware.

Send comments to Mr. Robert Stickels, Sussex County Administrator, P.O. Box 589, Georgetown, Delaware 19947.

Florida	Seminole County (Unincorporated Areas).	Mud Lake	Entire shoreline within county	None	*85
		Howell Creek	Approximately 1,250 feet downstream of Dyson Drive.	*33	*30
			Approximately 0.66 mile downstream of Red Bud Lake Road.	*36	*35
		Lake Lotus	Entire shoreline within community	None	*64
		Little Wekiva River	Approximately 200 feet upstream of State Route 431.	None	*64
			Approximately 900 feet upstream of State Route 431.	None	*64
		Soldier Creek	At upstream side of State Route 427	*28	*27
			Approximately 150 feet upstream of CSX Transportation.	*41	*42

Maps available for inspection at the Seminole County Development Review Department, County Services Building, Room W225, 1101 East First Street, Sanford, Florida.

Send comments to Mr. Ron H. Rabun, Seminole County Manager, 1101 East First Street, Sanford, Florida 32771.

Georgia	Columbia County (Unincorporated Areas).	Savannah River	Approximately 0.8 mile downstream of the City of Augusta dam and locks.	*164	*151
			Approximately 2,500 feet downstream of Thurmond Dam.	None	*203
		Watery Branch	At its mouth at the Savannah River	*196	*192
			Approximately 600 feet upstream of Point Comfort Road.	*196	*195
		Jones Creek	At its mouth	*198	*193
			Approximately 4,200 feet upstream of its mouth.	*198	*197
		Bettys Branch	At its mouth	*204	*197
			Approximately 0.5 mile upstream of Bettys Branch Road.	*204	*203
		Uchee Creek	At its mouth	*205	*198
			Approximately 250 feet upstream of Washington Road.	*205	*204

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified

Maps available for inspection at the Engineering Services, 630 Washington West Drive, Evans, Georgia.

Send comments to Mr. Richard Reynolds, Chairman of the Columbia County Board of Commissioners, P.O. Box 498, Evans, Georgia 30809.

Illinois	Elmhurst (City) DuPage County.	Salt Creek	Approximately 0.4 mile downstream of State Route 56 (Butterfield Road).	*663	*662
			Approximately 0.54 mile upstream of State Route 64 (North Avenue).	*675	*673
		Sugar Creek	At the confluence with Salt Creek	*664	*663
			At State Route 83 (Robert Kingery Ex- pressway).	*665	*664

Maps available for inspection at the Public Works Department, Elmhurst City Hall, 209 North York Street, Elmhurst, Illinois.

Send comments to The Honorable Thomas D. Marcucci, Mayor of the City of Elmhurst, 209 North York Street, Elmhurst, Illinois 60126-2759.

Illinois	Hampshire (Vil- lage) Kane County.	Hampshire Creek	Approximately 0.25 mile downstream of State Street.	None	*879
			Approximately 0.59 mile upstream of Rowell Road.	None	*906
		Hampshire Creek Tribu- tary No. 1.	Approximately 375 feet downstream of Keyes Drive.	None	*898
			Approximately 720 feet upstream of Keyes Drive.	None	*904

Maps available for inspection at the Village Hall, 234 South State Street, Hampshire, Illinois.

Send comments to The Honorable William P. Schmidt, Mayor of the Village of Hampshire, Village Hall, P.O. Box 457, 234 South State Street, Hampshire, Illinois 60140-0457.

Indiana	Franklin County (Unincorporated Areas).	Whitewater River	At confluence of East Fork Whitewater River.	None	*622
			Approximately 800 feet upstream of con- fluence of Salt Creek.	None	*680
		East Fork	At confluence with Whitewater River	None	*622
		Whitewater River	At State Route 101	None	*624
		Duck Creek	At confluence with Whitewater River	None	*670
			At Duck Creek Pond	None	*695

Maps available for inspection at the Courthouse, 459 Main Street, Brookville, Indiana.

Send comments to Mr. William J. Losekamp, President of the Franklin County Board of Commissioners, 5516 Mueller Road, Cedar Grove, Indiana 47016.

Maine	Arundel (Town) York County.	Kennebunk River	Approximately 200 feet downstream of confluence of Goff Mill Brook.	None	*9
			Approximately 0.5 mile upstream of U.S. Route 1.	None	*58

Maps available for inspection at the Town Office, 1375 Limerick Road, Kennebunkport, Maine.

Send comments to Mr. John Frazier, Arundel Town Manager, R.R. 1, 1375 Limerick Road, Kennebunkport, Maine 04046.

Maine	Auburn (City), Androscoggin County.	Little Androscoggin River .	Approximately 700 feet downstream of Lower Barker Mill Dam.	*137	*136
			Approximately 1,000 feet upstream of the upstream corporate limits.	*231	*227
		Taylor Brook	At the confluence with Little Androscoggin River.	*199	*197
			At the downstream side of Hotel Road	*247	*245
		Taylor Pond	Entire shoreline within the community	None	*247
		Bobbin Mill Brook	Approximately 300 feet upstream of North River Road.	None	*181
			Approximately 120 feet upstream of Fair Street bridge.	None	*254

Maps available for inspection at the Acting City Manager's Office, 45 Spring Street, Auburn, Maine.

Send comments to Ms. Pat Finnegan, Acting City Manager for the City of Auburn, 45 Spring Street, Auburn, Maine 04210.

Maine	Howland (Town)	Piscataquis River	Upstream side of Howland Dam	*156	*157
		Penobscot County	At the confluence of Maxy Brook	*171	*172

Maps available for inspection at the Town Hall, Main Street, Howland, Maine.

Send comments to Ms. Glenna Armour, Howland Town Manager, P.O. Box 386, Howland, Maine 04448.

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
Maine	Milo (Town), Piscataquis County.	Piscataquis River	Approximately 0.7 mile downstream of confluence of Stinking Brook (downstream corporate limits).	*278	*283
			At confluence of Meadow Brook (upstream corporate limits).	*290	*283
		Pleasant River	At downstream corporate limits	*278	*283
			At upstream corporate limits	*328	330
		Sebec River	At confluence with Piscataquis River	*285	*286
			Approximately 700 feet upstream of upstream corporate limits.	*292	*293
		Meadow Brook	At confluence with Piscataquis River	*290	*294
			Approximately 50 feet upstream of River Road.	*290	*294

Maps available for inspection at the Town Hall, Pleasant Street, Milo, Maine.

Send comments to Ms. Jane Jones, Milo Town Manager, P.O. Box 218, Milo, Maine 04463.

Maine	Norridgewock (Town), Somerset County.	Kennebec River	Approximately 260 feet downstream of confluence of Ledge Brook.	*165	*174
			Approximately 0.4 mile upstream of confluence of Sandy River.	*184	*193
		Sandy River	At confluence with Kennebec River	*183	*193
			At upstream corporate limits	*197	*202
		Mill Stream	At confluence with Kennebec River	*170	*177
			Downstream side of West Branch Station Dam.	*170	*177

Maps available for inspection at the Town Office Vault, Perkins Street, Norridgewock, Maine.

Send comments to Mr. Carl Blanchet, Acting Norridgewock Town Manager, P.O. Box 7, Norridgewock, Maine 04957.

Maine	Pittsfield (Town) Somerset County.	Sebasticook River	Approximately 250 feet downstream of corporate limits.	None	*145
			Approximately 100 feet downstream of Horseback Road.	None	*175

Maps available for inspection at the Town Manager's Office, 16 Park Street, Pittsfield, Maine.

Send comments to Mr. Dwight Dougherty, Pittsfield Town Manager, P.O. Box R, 16 Park Street, Pittsfield, Maine 04967.

Maine	Poland (Town) Androscoggin County.	Little Androscoggin River .	Approximately 0.3 mile downstream of the confluence of Davis Brook.	*228	225
			Approximately 2.7 miles upstream of State Route 12 and 11.	*250	*246
		Tripp Pond	Entire shoreline within community	None	*309
		Thompson Lake	Entire shoreline within community	None	*327
		Winter Brook	Approximately 1.7 miles downstream of Winter Brook Road.	None	*309
			Approximately 0.78 mile upstream from Winter Brook Road.	None	*309
		Davis Brook	At confluence with Little Androscoggin River.	*228	*225
			Approximately 50 feet upstream of Gravel Road.	None	*226
		Worthley Brook	At confluence with Little Androscoggin River.	236	*232
			Approximately 0.48 mile upstream of confluence with Little Androscoggin River.	*236	*235

Maps available for inspection at the Municipal Office Building, Poland, Maine.

Send comments to Mr. Ralph Stanley, Code Enforcement Officer, Municipal Office Building, P.O. Box 38, Poland, Maine 04273.

Maryland	Oakland (Town) Garrett County.	Bradley Run	At upstream side of CSX Transportation .	*2,382	*2,377
			Approximately 1,200 feet upstream of Bradley Lane.	None	*2,399

Maps available for inspection at the Garrett County Courthouse, 313 East Alder Street, Oakland, Maryland.

Send comments to The Honorable Asa M. McCain, Jr., Mayor of the Town of Oakland, City Hall, 15 South Third Street, Oakland, Maryland 21550.

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
Michigan	Albee (Township) Saginaw County.	Flint River	Approximately 0.4 mile west of intersection of Tom Cresswell Road and corporate limits.	None	*594
			At Sheridan Road	None	*600
		Shiawassee Flats	At intersection of Bishop Road and Fergus Road.	None	*594
		Mistequay Creek	Approximately 600 feet upstream of confluence with Flint River.	None	*594
			At West Gary Road	None	*604

Maps available for inspection at the Township Community Center, 10645 East Road, Burt, Michigan.

Send comments to Mr. Leon Turnwald, Albee Township Supervisor, Saginaw County, 3395 Birch Run Road, Birch Run, Michigan 48417.

Michigan	Brant (Township) .. Saginaw County	Bad River	At downstream corporate limits	None	*595
			Approximately 1,200 feet upstream of downstream corporate limits.	None	*595

Maps available for inspection with Mr. James Lester, Brant Township Clerk, 10510 South Hemlock Road, Brant, Michigan.

Send comments to Mr. Kenneth A. Wilson, Supervisor of the Township of Brant, 16195 West Brant Road, Brant, Michigan 48614.

Michigan	Bridgeport Charter (Township). Saginaw County	Cass River	At Sheridan Road	None	*594
			Approximately 1.1 miles upstream of Grand Trunk Western Railroad.	None	*595
		Flint River	Approximately 0.3 mile south of the intersection of Sheridan Road and Curtis Road.	None	*599
			At the intersection of Townline Road and Railroad Street.	None	*601

Maps available for inspection at the Bridgeport Charter Township Offices, 6206 Dixie Highway, Bridgeport, Michigan.

Send comments to Mr. Steve Clolek, Supervisor of the Township of Bridgeport Charter, Saginaw County, 6206 Dixie Highway, Bridgeport, Michigan 48722.

Michigan	Buena Vista Charter (Township) Saginaw County.	Koehler Drain	Approximately 1,100 feet downstream of East Washington Road.	*589	*590
			Approximately 900 feet upstream of East Washington Road.	*589	*590
		Saginaw River	At downstream county boundary East of Washington Road.	*589	*587

Maps available for inspection at the Township Clerk's Office/Township Office, 1160 South Outer Drive, Saginaw, Michigan.

Send comments to Ms. Frances Hayes, Supervisor of the Buena Vista Charter Township, Saginaw County, 1160 South Outer Drive, Saginaw, Michigan 48601.

Michigan	Kochville (Township) Saginaw County.	Saginaw River	At West Freeland Road	*585	*587
			At Tittabawassee Road	*585	*589
		Kochville Drain	Approximately 1,200 feet downstream of Farm Road.	*585	*588
			At confluence with North Branch Kochville Drain.	*587	*588
		South Branch Kochville Drain.	At confluence with North Branch Kochville Drain.	*587	*588
			Approximately 100 feet downstream of Michigan Road.	*587	*588
		North Branch	At confluence with Kochville Drain	*587	*588
		Kochville Drain	At Kochville Road	*587	*588

Maps available for inspection at the Kochville Township Hall, 5851 Mackinaw Road, Saginaw, Michigan.

Send comments to Mr. Edward Allington, Supervisor of the Township of Kochville, Saginaw County, 5851 Mackinaw Road, Saginaw, Michigan 48604.

Michigan	Maple Grove (Township). Saginaw County	Mistequay Creek	At upstream side of West Gary Road	None	*605
			Approximately 0.76 mile upstream of upstream county boundary.	None	*669

Maps available for inspection at the Maple Grove Township Hall, 17010 Lincoln Road, Maple Grove, Michigan.

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
Send comments to Mr. Chuck Wendling, Supervisor of the Township of Maple Grove, Saginaw County, 17600 Lincoln Road, New Lothrop, Michigan 48460.					
Michigan	Saginaw (City) Saginaw County.	Saginaw River	Approximately 1,000 feet northeast of intersection of State Route 81 and 13.	*589	*590
Maps available for inspection at the Saginaw City Hall, 1315 South Washington Avenue, Saginaw, Michigan. Send comments to The Honorable Gary Loster, Mayor of the City of Saginaw, Saginaw County, 1315 South Washington Avenue, Saginaw, Michigan 48601-2599.					
Michigan	Spaulding (Township). Saginaw County	Flint River	At Cresswell Road	*594	*595
			At Sheridan Road	*594	*600
Maps available for inspection at the Spaulding Township Offices, 5025 East Road, Saginaw County, Michigan. Send comments to Mr. J. Donald Sutto, Supervisor of the Township of Spaulding, Saginaw County, 5025 East Road, Saginaw, Michigan 48601-9754.					
Michigan	St. Charles (Township) Saginaw County.	Bad River	At the downstream corporate limits	None	*594
			At the upstream corporate limits	None	*595
		South Branch Bad River ...	At the downstream corporate limits	None	*594
			Approximately 1,000 feet upstream of downstream corporate limits.	None	*594
		Shiawassee Flats	Flooding affecting community	None	*594
Maps available for inspection at the St. Charles Township Offices, 1003 North Saginaw Street, St. Charles, Michigan. Send comments to Mr. Larry Mahoney, Supervisor of the Township of St. Charles, Saginaw County, 12905 Mahoney Road, St. Charles, Michigan 48655.					
Michigan	Swan Creek (Township) Saginaw County.	Beaver Creek	At Orr Road	None	*594
			At corporate limits with the Village of St. Charles.	None	*594
		Tittabawassee River	Flooding affecting community south of CONRAIL.	None	*596
			At intersection of South Thomas Road and Swan Creek Road.	None	*594
Maps available for inspection at the Swan Creek Township Offices, 11415 Lakefield Road, St. Charles, Michigan. Send comments to Mr. Don Rappley, Supervisor of the Township of Swan Creek, Saginaw County, 11415 Lakefield Road, St. Charles, Michigan 48655.					
Michigan	Taymouth (Township) Saginaw County.	Flint River	At the intersection of Townline Road and Sheridan Road.	None	*600
			Approximately 0.4 mile north of the intersection of Pettit Road and Busch Road.	None	*601
Maps available for inspection at the Taymouth Township Offices, 4343 East Birch Run Road, Birch Run, Michigan. Send comments to Mr. G. Thomas Kerr, Supervisor of the Township of Taymouth, Saginaw County, 4343 East Birch Run Road, P.O. Box 231, Birch Run, Michigan 48415.					
Michigan	Thomas (Township) Saginaw County.	Tittabawassee River	At Tittabawassee Road	*603	*604
			At intersection of CONRAIL and South River Road.	*597	*596
Maps available for inspection at the Thomas Township Offices, 249 North Miller Road, Saginaw County, Michigan. Send comments to Mr. Morrison Stevens, Supervisor of the Township of Thomas, Saginaw County, 249 North Miller Road, Saginaw, Michigan 48609.					
Michigan	Zilwaukee (Township) Saginaw County.	Saginaw River	At downstream county boundary	*586	*587
Maps available for inspection at the Township Hall, 7600 Melbourne Road, Zilwaukee, Michigan. Send comments to Mr. David F. Bradt, Supervisor of the Township of Zilwaukee, 7600 Melbourne Road, Saginaw, Michigan 48604.					
Minnesota	Rochester (City) Olmsted County.	Bear Creek	Approximately 400 feet downstream of 6th Street, S.E.	*995	*993

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
			Approximately 0.8 mile upstream of confluence with South Fork Zumbro River.	*1,008	*1,004
		South Fork	At confluence of Bear Creek	*993	*986
		Zumbro River	Approximately 750 feet upstream of 16th Street, S.W.	*1,010	*1,005

Maps available for inspection at the City Clerk's Office, Government Center, 224 1st Avenue, S.W., Rochester, Minnesota.

Send comments to Mr. Gary Neumann, Assistant Administrator for the City of Rochester, Government Center, 224 1st Avenue, S.W., Rochester, Minnesota 55902-3163.

New Hampshire	Bridgewater (Town) Grafton County.	Pemigewasset River	Approximately 1.7 miles downstream of Woodman and Fog Brooks.	*471	*467
			Approximately 0.6 mile upstream of U.S. Route 3.	*483	*481

Maps available for inspection at the Town Clerk's Office, 297 Mayhew Turnpike, Bridgewater, New Hampshire.

Send comments to Mr. William Thistle, Chairman of the Town of Bridgewater Board of Selectmen, 297 Mayhew Turnpike, Bridgewater, New Hampshire 03222.

North Carolina	Johnston County (Unincorporated Areas).	Black Creek	Approximately 0.45 mile upstream of U.S. Highway 301/St. 96 Highway.	*124	*123
			Approximately 1,000 feet downstream of Secondary Road 1162.	*127	*126

Maps available for inspection at the Johnston County Planning Department, 206 Johnston Street, Smithfield, North Carolina.

Send comments to Mr. Norman C. Denning, Chairman of the Johnston County Board of Commissioners, P.O. Box 1049, Smithfield, North Carolina 27577.

Ohio	Columbus (City) Franklin County.	Barbee Ditch	At Chippewa Street	None	*801
			Approximately 100 feet downstream of Trabe Road.	None	*826
		Barnes Ditch	At confluence with Scioto River	None	*737
			At Wilson Road	None	*836
		Blau Ditch	Approximately 0.42 mile upstream of confluence with Dry Run.	None	*818
			Approximately 1,160 feet upstream of Maclam Drive.	None	*838
		Snyder Run	At confluence with Barnes Ditch	None	*808
			At Wilson Road	None	*843
		Dry Run	At confluence with Scioto River	None	*731
			Approximately 160 feet upstream of Ruth Court.	None	*790
		South Fork Dry Run	At downstream corporate limits	None	*786
			Approximately 1,520 feet upstream of CONRAIL.	None	*803
		Turkey Run	Upstream side of State Route 315	*737	*739
			Approximately 1,850 feet upstream of Tillbury Avenue at the City of Columbus corporate limits.	None	*781
		Little Walnut Creek	Downstream corporate limits	None	*730
			Upstream corporate limits	None	*731
		Big Run	At upstream corporate limits (west of County Route 119).	None	*735
		Utzinger Ditch	Approximately 200 feet downstream of Rose Hill Road.	*883	*882
			At upstream corporate limits	*894	*893
		Tudor Ditch	Approximately 500 feet upstream of confluence with Scioto River.	*770	*769
			Approximately 875 feet upstream of confluence with Scioto River.	None	*780

Maps available for inspection at the Fairwood Complex, 1250 Fairwood Avenue, Columbus, Ohio.

Send comments to The Honorable Gregory S. Lashutka, Mayor of the City of Columbus, Franklin County, 90 West Broad Street, Columbus, Ohio 43215.

Ohio	Hamilton County (Unincorporated Areas).	Winton Woods Creek	At Daly Road	None	*759
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State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
			Approximately 225 feet downstream of Desoto Drive.	None	*782

Maps available for inspection at the Hamilton County Department of Public Works, Hamilton County Administration Building, Room 800, 138 East Court Street, Cincinnati, Ohio.

Send comments to Mr. David J. Krings, Hamilton County Administrator, Hamilton County Administration Building, Room 603, 138 East Court Street, Cincinnati, Ohio 45202.

Ohio	Napoleon (City), Henry County.	Maumee River	Approximately 1.8 miles downstream of Detroit Toledo Ironton Railroad bridge. Approximately 2.3 miles upstream of Perry Street bridge.	*656 *660	*655 *659
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Maps available for inspection at the Office of Zoning Administration, 255 West Riverview Avenue, Napoleon, Ohio.

Send comments to The Honorable Robert Heft, Mayor of the City of Napoleon, 255 West Riverview, Napoleon, Ohio 43545-0151.

Pennsylvania	Dunlevy (Borough), Washington County.	Monongahela River	Downstream corporate limits	*763	*765
			Upstream corporate limits	*764	*766

Maps available for inspection with Ms. Jeanne Jacobs, Borough Secretary, Mannina Avenue, Dunlevy, Pennsylvania.

Send comments to The Honorable Norman Carson, Mayor of the Borough of Dunlevy, Washington County, P.O. Box 135, Dunlevy, Pennsylvania 15432.

Pennsylvania	East Bethlehem (Township), Washington County.	Monongahela River	Approximately 1,700 feet downstream of the confluence of Barneys Run (downstream corporate limits).	*777	*780
			At the confluence of Tenmile Creek (upstream corporate limits).	*780	*783
		Tenmile Creek	At confluence with Monongahela River	*780	*783
			Approximately 75 feet downstream of CONRAIL bridge over Tenmile Creek.	*782	*783

Maps available for inspection at the Municipal Building, Water Street, East Bethlehem, Pennsylvania.

Send comments to Mr. Frank S. Burkus, President of the Township of East Bethlehem Board of Supervisors, P.O. Box 687, Fredericksburg, Pennsylvania 15333.

Pennsylvania	East Norwegian (Township) Schuylkill County.	Mill Creek	Approximately 660 feet downstream of Mill Creek Avenue bridge.	None	*641
			Approximately 190 feet upstream of Market Street bridge.	None	*691

Maps available for inspection at the East Norwegian Township Offices, RD 3, Pottsville, Pennsylvania.

Send comments to Mr. Kenneth McCarthy, Chairman of the Board of Supervisors, Township of East Norwegian, RD 3, Pottsville, Pennsylvania 17901.

Pennsylvania	Elco (Borough) Washington County.	Monongahela River	Downstream corporate limits (approximately 0.5 mile downstream of the confluence of Wood Run Hollow).	*766	*769
			Upstream corporate limits (approximately 0.5 mile upstream of the confluence of Wood Run Hollow).	*766	*769

Maps available for inspection at the Elco Municipal Building, Route 88, Elco, Pennsylvania.

Send comments to The Honorable Robert J. Truman, Mayor of the Borough of Elco, Washington County, Box 101, Elco, Pennsylvania 15434-0194.

Pennsylvania	Henderson (Township) Huntingdon County.	Juniata River	Approximately 0.57 mile upstream of State Route 829.	603	614
			At upstream corporate limits	*618	*614

Maps available for inspection at the Chairman of the Board of Supervisor's Home, R.D. 3, Box 223, Huntingdon, Pennsylvania.

Send comments to Mr. William L. Snyder, Chairman of the Board of Supervisors for the Township of Henderson, Huntingdon County, R.D. 3, Box 223, Huntingdon, Pennsylvania 16652.

Pennsylvania	Jefferson (Township) Washington County.	Monongahela River	At the confluence of Tenmile Creek (at the downstream corporate limits).	*780	*783
			Upstream corporate limits	*781	*785

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
		Tenmile Creek	At confluence with Monongahela River	*780	*783
			At the confluence with South Fork Tenmile Creek.	*781	*783
		South Fork	At confluence with Tenmile Creek	*781	*783
		Tenmile Creek	Approximately 500 feet upstream of confluence with Tenmile Creek.	*782	*783

Maps available for inspection at the Township Clerk's Office, Jefferson, Pennsylvania.

Send comments to Mr. Clancy Murray, Chairman of the Township of Jefferson Council, P.O. Box 129, Jefferson, Pennsylvania 15344.

Pennsylvania	New Eagle (Borough). Washington County	Monongahela River	Approximately 200 feet downstream of confluence of Mingo Creek. Upstream corporate limits	*753 *754	*755 *555
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Maps available for inspection at the Borough Office, 157 Main Street, New Eagle, Pennsylvania.

Send comments to The Honorable Gerald Borello, Mayor of the Borough of New Eagle, Washington County, 444-B First Avenue, New Eagle, Pennsylvania 15067.

Pennsylvania	Stroud (Township) Monroe County	McMichaels	At downstream corporate limits	None	*425
		Creek	At upstream corporate limits	None	*458

Maps available for inspection with Mr. W. J. Gtretkowski, Chairman of the Township of Stroud, Monroe County, 1211 North 5th Street, Stroudsburg, Pennsylvania.

Send comments to Mr. W.J. Gtretkowski, Chairman of the Township of Stroud, Monroe County, 1211 North 5th Street, Stroudsburg, Pennsylvania 18360.

South Carolina	Edgefield County (Unincorporated Areas).	Savannah River	At confluence of Fox Creek	*159	*147
			Approximately 4.65 miles upstream of Stevens Creek Dam.	None	*195
		Fox Creek	At its confluence with the Savannah River	*159	*147
			Approximately 2,750 feet upstream of its confluence with the Savannah River.	*159	*155

Maps available for inspection at the Edgefield County Courthouse, Room 106, Edgefield, South Carolina.

Send comments to Mr. Tom McCain, Edgefield County Administrator, 215 Jeter Street, Edgefield, South Carolina 29824-1318.

South Carolina	McCormick County (Unincorporated Areas).	Savannah River	Approximately 0.7 mile downstream of State Highway 28.	None	*195
			Approximately 0.5 mile downstream of J. Strom Thurmond Dam.	None	*203

Maps available for inspection at the County Administrator's Office, Airport Road, McCormick, South Carolina.

Send comments to Mr. Paul Bjorkman, McCormick County Administrator, Route 2, Box 84AAA, McCormick, South Carolina 29835.

West Virginia	Fairmont (City) Marion County.	Monongahela River	At downstream corporate limits	*869	*870
			Approximately 300 feet downstream of CSX Transportation bridge.	*875	*874

Maps available for inspection with Mr. David J. Marino, Community Planning and Development, 200 Jackson Street, Fairmont, West Virginia.

Send comments to The Honorable Wayne Stutler, Mayor of the City of Fairmont, P.O. Box 1428, Fairmont, West Virginia 26554.

West Virginia	Granville (Town) Monongalia County.	Monongahela River	Approximately 0.72 mile downstream of confluence with Dents Run.	*811	*813
		Dents Run	At confluence of Dents Run	*812	*813
			At confluence with Monongahela River	*812	*813
			Approximately 0.69 mile upstream of the confluence with Monongahela River.	*812	*813

Maps available for inspection at the Town Hall, 233 Dents Run Boulevard, Granville, West Virginia.

Send comments to The Honorable Patricia Lewis, Mayor of the Town of Granville, P.O. Box 119, Granville, West Virginia 26534.

West Virginia	Marion County (Unincorporated Areas).	Monongahela River	At downstream county boundary	None	*862
			Approximately 140 feet upstream of CSX Transportation Railroad bridge.	None	*870

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
Maps available for inspection at the Marion County Commissioner's Office, 200 Jackson Street, Fairmont, West Virginia. Send comments to Mr. Jack May, President of Marion County Commission, 200 Jackson Street, Fairmont, West Virginia 26554.					
West Virginia	Morgantown (City) Monongalia County.	Monongahela River	At downstream corporate limits	*810	*812
			Approximately 1,600 feet upstream of confluence with Cobun Creek.	*820	*819
		Cobun Creek	At confluence with Monongahela River	*819	*818
			Approximately 130 feet upstream of U.S. Route 119.	*819	*818

Maps available for inspection at the City Engineering Department, 389 Spruce Street, Morgantown, West Virginia.

Send comments to The Honorable Charlene Marshall, Mayor of the City of Morgantown, 389 Spruce Street, Morgantown, West Virginia 26505.

West Virginia	Star City (Town) Monongalia County.	Monongahela River	Approximately 0.81 mile downstream of Monongahela Boulevard (U.S. Route 19).	*810	*812
			Approximately 1,900 feet upstream of the confluence of Pompano Run.	*811	*813
		Pompano Run	At confluence with Monongahela River	*811	*812
			Approximately 200 feet upstream of con- fluence with the Monongahela River.	*811	*812

Maps available for inspection at the Town Office, 370 Broadway Avenue, Star City, West Virginia.

Send comments to The Honorable Edith Barill, Mayor of the Town of Star City, Monongalia County, 3446 University Avenue, Star City, West Virginia 26505.

Wisconsin	Kenosha (City) Kenosha County ...	Pike River	At confluence with Lake Michigan	*584	*585
			Approximately 26 feet downstream of State Route 32.	*584	*585

Maps available for inspection at the City Hall, 625 52nd Street, Kenosha, Wisconsin.

Send comments to The Honorable John Antaramian, Mayor of the City of Kenosha, Kenosha County, 625 52nd Street, Kenosha, Wisconsin 53140.

Wisconsin	Pleasant Prairie (Village) Keno- sha County.	Lake Michigan	Entire shoreline within community	*584	*585
		Barnes Creek	At the confluence with Lake Michigan	*584	*585
		North Outlet	Approximately 100 feet downstream of First Avenue.	*585	*586
		Barnes Creek	At the confluence with Lake Michigan	*584	*585
		South Outlet	Approximately 200 feet upstream of Third Avenue.	*584	*585

Maps available for inspection at the Village Hall, 9915 39th Avenue, Kenosha, Wisconsin.

Send comments to Mr. Michael Pollocoff, Pleasant Prairie Village Administrator, Kenosha County, 9915 39th Avenue, Kenosha, Wisconsin 53142.

Wisconsin	Washburn (City) Bayfield County.	Lake Superior	Entire shoreline within community	None	*605
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Maps available for inspection at the City Hall, 119 Washington Avenue, Washburn, Wisconsin.

Send comments to The Honorable Larry Mertsching, Mayor of the City of Washburn, P.O. Box 638, Washburn, Wisconsin 54891.

(Catalog of Federal Domestic Assistance No.
83.100, "Flood Insurance")

Dated: January 23, 1995.

Richard T. Moore,

Associate Director for Mitigation.

[FR Doc. 95-2202 Filed 1-27-95; 8:45 am]

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